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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In the Matter of a Warrant to Search a Certain
E-Mail Account Controlled and Maintained by
Microsoft Corporation

REDACTED

Action Nos. 13-MAG-2814, M9-150

Declaration Of **REDACTED**

1. **REDACTED** declare as follows:

1. I am a Senior Compliance Manager for Microsoft Corporation in Ireland. I have worked for Microsoft since June 2010. In my current position, I am responsible for responding to legal orders for customer data that Microsoft receives from Irish law enforcement. I have personal knowledge of the facts stated in this declaration.

2. When Irish law enforcement authorities seek the content of customer emails stored on Outlook.com, Microsoft's free web-based email service, they generally follow a four-step process. By the "content of customer emails," I mean the body of the email and its subject line, as opposed to metadata about the email, such as the date and time it was sent.

3. First, Irish law enforcement authorities submit a legal request addressed to Microsoft Corporation in Redmond, WA, USA, for basic subscriber information about a specified Outlook.com account. These requests are submitted under Section 8(b) of the Data Protection Act of 1998, or under specific legislation pertaining to the investigation, such as the Child Trafficking and Pornography Act of 1998. Microsoft complies with valid requests from Irish law enforcement and produces this information.

4. Second, if Irish law enforcement wishes to obtain additional information about the account in question, they ordinarily will follow up with an additional request inquiring as to the location of the data -- *e.g.*, whether it is stored in our Dublin datacenter or elsewhere.

5. Third, if the email content data for the specified account is stored in the Dublin datacenter, Irish law enforcement will then obtain a warrant or court order for the data, as required under Irish law. Microsoft will not produce email content to Irish law enforcement that is stored outside of Ireland. For example, when Irish law enforcement has sought to obtain Microsoft user email content data stored in Microsoft datacenters located in the United States, I have referred them to the procedures available to them under United States-Ireland Mutual Legal Assistance Treaty.

6. Fourth, Irish law enforcement then arranges to serve me personally with a warrant or court order for the email content, which is generally directed both to Microsoft Corporation (in the United States) and to its Irish subsidiary. Under Irish law, I have seven days after receipt of the court order or warrant to produce the required customer content. During my tenure, we have always met the deadline for producing the requested data.

* * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 6/3/2014

REDACTED

Signed: